

## **REMARKS**

Reconsideration of the application in light of the amendments and the following remarks is respectfully requested.

Applicants respectfully note that an Information Disclosure Statement, accompanied by PTO Form 1449, was filed on March 15, 2002. A Photocopy of the IDS and its certificate of mailing, the accompanying PTO Form 1449, the cited Japanese language documents, and their partial English translation are included in **Attachment A**. Applicants note that the Office Action dated March 25, 2005 does not include a copy of the PTO Form initialed by the Examiner and, therefore, requests that the Examiner review the cited references and initial the PTO Form so that the references are made of record and identified on the face of any patent which may issue from this application.

The photocopies of the IDS submissions and other documentation in Attachment A demonstrates that the references cited in the IDS were properly in the case at the time of the Examiner's action. However, there is no indication that the Examiner considered these references when formulating the first examination of the claims on the merits as required by 37 C.F.R. § 1.104(b). Should the Examiner fail to allow all of the claims over these references, as currently urged by the Applicants, the Examiner is requested to issue a non-final Office Action should a rejection be premised on any of the references in the IDS.

### **Status of the Claims**

Claims 1-21 are pending. Claims 1-21 have been amended. No new matter has been added.





method, and another menu. Additionally, Kim does not disclose a customer information database, as recited in the claims.

Applicants submit that these claimed features are missing from Humpleman and Kim. Thus, Humpleman and Kim neither discloses nor suggest, singly or in combination, the invention of claims 1-21. Therefore, the Examiner has failed to meet the burden of establishing a *prima facie* case of obviousness over claims 1-21.

Reconsideration and withdrawal is requested.

### CONCLUSION

Each and every point raised in the Office Action mailed March 25, 2005 has been addressed on the basis of the above amendments and remarks. In view of the foregoing it is believed that claims 1-21 are in condition for allowance and it is respectfully requested that the application be reconsidered and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Respectfully submitted,

  
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